

ORIGINAL

OPEN MEETING AGENDA ITEM



0000109862

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

2010 APR -7 P 2:06

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

APR -7 2010

DOCKETED BY

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IN THE MATTER OF THE APPLICATION  
OF TIMBER KNOLL HOMEOWNER'S  
ASSOCIATION, INC. DBA T.K. WATER  
SERVICE FOR APPROVAL OF A RATE  
INCREASE.

DOCKET NO. W-01902A-09-0293

IN THE MATTER OF THE APPLICATION  
OF TIMBER KNOLL HOMEOWNER'S  
ASSOCIATION, INC. DBA T.K. WATER  
SERVICE FOR APPROVAL OF A  
CURTAILMENT TARIFF.

DOCKET NO. W-01902A-10-0082

**PROCEDURAL ORDER**  
**(Consolidates Dockets)**

**BY THE COMMISSION:**

On June 4, 2009, Timber Knoll Homeowner's Association, Inc. dba T.K. Water Service ("TKW," "Company" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an increase in its permanent rates and charges.

On June 10, 2009, the Company filed certification that it had provided public notice of its rate application to its customers. In response thereto, the Commission received one comment concerning the proposed increase.

On July 6, 2009, the Commission's Utilities Division ("Staff") issued a Notice of Insufficiency pursuant to A.A.C. R14-2-103.

On December 16, 2009, Staff issued a Notice of Sufficiency indicating that the Company's rate application was sufficient, and classified the Company as a Class E utility.

On February 17, 2010, Staff filed its report recommending approval of its proposed rates and charges.

On March 1 and 5, 2010, the Company filed responses to the report filed by Staff.

On March 8, 2010, a recommended Order was issued in this matter.

1 On March 15, 17, 18 and 23, 1020, the Company filed exceptions to the Staff Report and the  
2 recommended Order.

3 On March 29, 2010, a TKW board member filed further exceptions on behalf of the  
4 Company.

5 On April 1, 2010, at the Commission's scheduled Open Meeting, the Company's secretary  
6 participated in a discussion of the matter with the members of the Commission. Due to the issues, the  
7 Chairman and members of the Commission deemed it appropriate to delay action on the Company's  
8 application so that further discussions could be had between Staff and the representatives of the  
9 Company.

10 On April 2, 2010, by Procedural Order, pursuant to A.A.C. R14-2-103, the timeframe was  
11 suspended until further Order.

12 While the rate case was pending, the Company had filed an application requesting approval of  
13 a proposed form of Curtailment Tariff on March 4, 2010.

14 On April 2, 2010, Staff filed a Motion to Consolidate the Company's rate case proceeding  
15 with its recently filed application for approval of the Company's proposed Curtailment Tariff. Staff  
16 states the matters are inter-related.

17 On April 5, 2010, Staff filed a memorandum which recommends several changes to the  
18 Company's proposed Curtailment Tariff.

19 Accordingly, the proceedings should be consolidated.

20 IT IS THEREFORE ORDERED that the above-captioned proceedings shall be consolidated  
21 for further action by the Commission.

22 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
23 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
24 hearing.

25 DATED this 7<sup>th</sup> day of April, 2010.

26  
27   
28 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

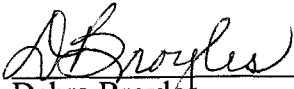
1 Copies of the foregoing mailed/delivered  
2 this 7th day of April, 2010 to:

3 Max Nelson  
4 TIMBER KNOLL  
5 HOMEOWNER'S ASSOCIATION, INC.  
6 P.O. Box 200  
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13 Steve Olea, Director  
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18 By:

19   
20 Debra Broyles  
21 Secretary to Marc E. Stern  
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